

Serial Number: 10/624,391

Page 1 of 3

PATENT APPLICATION
Docket No.: 11147.5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:		
Mark Galloway		
Serial No.:	10/624,391	Art Unit 1631
Filing Date:	July 22, 2003	Conf. No. 6825
Title:	MERIDIAN LINKING DIAGNOSTIC AND TREATMENT SYSTEM AND METHOD FOR TREATMENT OF MANIFESTED AND LATENT MALADIES USING THE SAME	
Examining Attorney:	Jason M. Sims	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

DECLARATION UNDER 37 C.F.R. §§ 1.131 AND 1.132

I the undersigned, declare that:

1. I am one of the named inventors of the above-referenced patent application.
2. I am familiar with the subject matter of the above-referenced patent application and have reviewed the current claim(s) of the above-referenced patent application.
3. I am also familiar with the provisional patent application to which the above-referenced patent application refers, namely U.S. Provisional Patent Application Serial No. 60/422,535 filed October 31, 2002 and entitled "Diagnostic Meridian Linking System and Method."

Serial Number: 10/624,391

Page 2 of 3

4. The invention disclosed and currently-claimed in the above-referenced application was reduced to practice and sold in production model form at least as early as September 4, 2002 as the Asyra™ device. Attached are true copies of invoices for sales of the Asyra device occurring between September 4, 2002 and September 10, 2002, all predating the October 22, 2002 priority date of Zhang as follows:

- a. An invoice to Dr. Ed Perkins dated September 4, 2002;
- b. An invoice to Dr. Gary Shohet dated September 4, 2002;
- c. An invoice to Dr. Ira Crawford dated September 4, 2002;
- d. An invoice to Dr. Leonard Ward dated September 4, 2002;
- e. An invoice to Dr. James Wear dated September 10, 2002; and
- f. An invoice to Lifeline Chiropractic Center dated September 10, 2002.

5. On each invoice, the ship date (shown mid-center) is the same as date of the invoice and is accurate as to the date of shipment to the purchaser of the Asyra system.

6. Each of the above-referenced invoices represents evidence of actual sales of devices embodying the invention that occurred in September 2002.

7. The above-referenced provisional patent application comprises the Operator's Manual for the Asyra devices sold in September 2002, and the Operator's Manual was shipped to the customers as part of the Asyra system.

8. The Operator's Manual that was shipped with each Asyra device and that was included in the above-referenced provisional patent filing includes several pictures (see numbered pages 5-7 of the provisional application) of the completed production device or portions thereof and numerous screen shots of the associated software (see numbered pages 8-25 of the provisional application). The pictures shown in the Operator's Manual are true pictures of a completed

Serial Number: 10/624,391

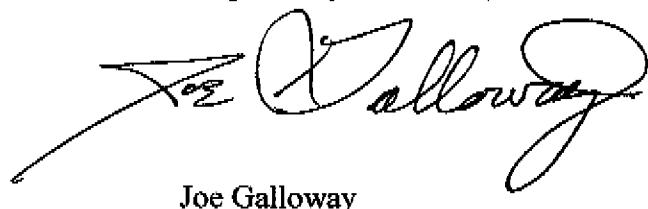
Page 3 of 3

production device that were taken prior to the September 4, 2002 ship date. Such pictures and screen shots are additional evidence that the invention had been reduced to practice no later than the September 4, 2002 ship date when such pictures were shipped as the Operator's Manual with the devices as described in the attached invoices.

9. All statements made of my own knowledge are true and all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated this 7th day of June, 2010.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Joe Galloway". The signature is fluid and cursive, with "Joe" on the left and "Galloway" on the right, connected by a flourish.

Joe Galloway

G-Tech

Invoice

3736 Panarama Dr.
Saratoga Springs, UT 84045

Date	Invoice #
9/4/2002	4

Bill To

Dr. Ed Perkins
P.O. Box 335
Homedale, ID 83628



Ship To
Ed Perkins
P.O. Box 335
Homedale, ID 83628

P.O. Number		Terms		Rep	Ship	Via	F.O.B.		Project
Quantity	Item Code	Description					Price Each	Amount	
1	Asyra System West Discount Pre Pay Payment in full	Asyra System Software Stylus Probe Stylus Probe Tip Sponge Dish Brass Electrode Brass Electrode Cap Battery Charger Power Supply Battery Charger User Manual Warranty West Group discount Payment in full Out-of-state sale, exempt from sales tax					7,995.00	7,995.00T	
							-1,000.00	-1,000.00	
							-200.00	-200.00	
							0.00%	-6,795.00	
								0.00	
							Total		\$0.00

G-Tech

3736 Panarama Dr.
Saratoga Springs, UT 84045

Invoice

Date	Invoice #
9/4/2002	3

Bill To
Dr. Gary Shohet 2524 North Stokersberry Place Meridian, ID 83646

Ship To
Gary Shohet

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
			9/4/2002			
Quantity	Item Code	Description			Price Each	Amount
1	Asyra System	Asyra System Software Stylus Probe Stylus Probe Tip Sponge Dish Brass Electrode Brass Electrode Cap Battery Charger Power Supply Battery Charger User Manual Warranty West Group discount			7,995.00	7,995.00T
	West Discount Pre Pay Payment in full	Payment in full Out-of-state sale, exempt from sales tax			-1,000.00 -200.00 0.00%	-1,000.00 -200.00 -6,795.00 0.00
					Total	\$0.00

G-Tech

Invoice

3736 Panarama Dr.
Saratoga Springs, UT 84045

Date	Invoice #
9/4/2002	2

Bill To	Ship To
Dr. Ira Crawford 47 North 100 West Smithfield, UT 84335	Ira Crawford

P.O. Number		Terms		Rep	Ship	Via	F.O.B.	Project
					9/4/2002			
Quantity	Item Code	Description				Price Each	Amount	
1	Asyra System	Asyra System Software Stylus Probe Stylus Probe Tip Sponge Dish Brass Electrode Brass Electrode Cap Battery Charger Power Supply Battery Charger User Manual Warranty West Group discount Out-of-state sale, exempt from sales tax				7,995.00	7,995.00T	
	West Discount					-1,000.00	-1,000.00	
	Pre Pay					-200.00	-200.00	
						0.00%	0.00	

G-Tech

3736 Panarama Dr.
Saratoga Springs, UT 84045

Invoice

Date	Invoice #
9/4/2002	1

Bill To
Dr. Leonard Ward 122 North State Preston, ID 83263

Ship To
Leonard Ward 122 North State Perston, ID 83263

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
			9/4/2002			
Quantity	Item Code	Description			Price Each	Amount
1	Asyra System	Asyra System Software Stylus Probe Stylus Probe Tip Sponge Dish Brass Electrode Brass Electrode Cap Battery Charger Power Supply Battery Charger User Manual Warranty			7,995.00	7,995.00T
	West Discount	West Group discount			-1,000.00	-1,000.00
	Pre Pay	West Group pre pay discount			-200.00	-200.00
	Down Payment	Down Payment				-3,500.00
		Out-of-state sale, exempt from sales tax			0.00%	0.00
					Total	\$3,295.00

G-Tech

Invoice

3736 Panarama Dr.
Saratoga Springs, UT 84045

Date	Invoice #
9/10/2002	5

Bill To

Dr. James Wear
1003 7th Street South
Nampa, ID 83651



Ship To

G-Tech

3736 Panarama Dr.
Saratoga Springs, UT 84045

Invoice

Date	Invoice #
9/10/2002	6

Bill To
Lifeline Chiropractic Center Lynne Jellum, DC, DNBHE 1627 S. Orchard St., Set.1 Boise, ID 83705

Ship To
Lynne Jellum 1627 S. Orchard St. Boise, ID

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
			9/10/2002			
Quantity	Item Code	Description			Price Each	Amount
1	Asyra System	Asyra System Software Stylus Probe Stylus Probe Tip Sponge Dish Brass Electrode Brass Electrode Cap Battery Charger Power Supply Battery Charger User Manual Warranty			7,795.00	7,795.00T
	West Discount	West Group discount Out-of-state sale, exempt from sales tax			-1,000.00 0.00%	-1,000.00 0.00
					Total	\$6,795.00